

JUDGE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	NO. CR06-5535FDB
)	
Plaintiff,)	
)	ORDER GRANTING UNOPPOSED
vs.)	MOTION TO CONTINUE TRIAL
)	DATE
BRIAN FREDERICH-TIBBETS,)	
RAMON NAVARRO-LOPEZ,)	
)	
Defendants.)	

Based on the stipulated motion of the parties to continue the trial date, and the affidavit of defense counsel in support of the motion, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(I).

3. The defense needs additional time to fully explore all issues related to trial, as well as all defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation of his defense.

3 18 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from January 16, 2007
6 to March 12, 2007. The resulting period of delay from January 16, 2007, up to and
7 including the new trial date of March 12, 2007, is hereby excluded for speedy trial
8 purposes under 18 U.S.C.
9 § 3161(h)(8)(A) and (B).

10 DONE this 8th day of January, 2007.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ _____

Linda R. Sullivan

Attorney for Defendant

/s/ _____

David Jennings

Assistant United States Attorney